

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 14, 2005**

**DIVISION THREE**

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B180119      People v. Jones, et al.

Argument waived, cause submitted.

B177695      People  
                 v.  
                 Curiel

Merits:

Argued by Robin R. Scroggie for appellant and by Elaine F. Tumonis, Deputy Attorney General for respondent . Cause submitted.

B176753      People  
                 v.  
                 Alsborg

Merits:

Argued by Gordon S. Brownell for appellant and by Mary Sanchez, Deputy Attorney General for respondent. Cause submitted.

DIVISION THREE (Continued)

B182443     Bolden  
              v.  
              Magana, Cathcart & McCarthy, et al.

Merits:  
Argued by William E. Bolden, appellant in propria persona. No appearance by the respondent. Cause submitted.

B176459     Fidelity and Deposit Company of Maryland  
              v.  
              Dayan, et al.

Merits:  
Argued by David L. Lynch for appellant and by Michael Simkin and Francis Cunningham for respondents. Cause submitted.

B178567     Ketchedjian, et al.  
              v.  
              Farmers Group, Inc., et al.

Merits:  
Argued by Jeffrey Ehrlich for appellants and by Richard DeLaMora for respondents. Cause submitted.

B180319     Blue, et al.  
              v.  
              City of Los Angeles, et al.

Merits:  
Argued by C. Robert Ferguson for appellants and by June Ailin, Deputy City Attorney for respondents. Cause submitted.

DIVISION THREE (Continued)

B182624     Blue, et al.  
              v.  
              City of Los Angeles, et al.

Merits:

Argued by C. Robert Ferguson for appellants and by June Ailin, Deputy City Attorney for respondents. Cause submitted.

B178279     Cychner, et al.  
              v.  
              Food 4 Less, et al.

Merits:

Argued by Steven G. Zieff for appellants and by Thomas Hill for respondents. Supplemental letter brief due by the appellant on January 23, 2006, response due by the respondent on February 13, 2006, reply due by the appellant on February 27, 2006. Submission deferred.

Court recessed at 12:19 p.m.

Court reconvened at 1:45 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Masumi Gavinski, Deputy Clerk.

Each of the following:

B176519     Tual v. Mesereau, Jr.  
B186312     Ebony J., v. S.C.L.A.  
B184198     Children and Family Services v. Stacy E.

Argument waived, cause submitted.

DIVISION THREE (Continued)

B178583      Jehan Zeb Mir, M. D.  
                 v.  
                 Iungerich & Spackman et al.

Merits:  
Argued by Joseph Zamora for appellant and Jeno Koepke for respondent.  
Cause submitted.

B178709      Pedro Calderon  
                 v.  
                 Los Angeles County Metropolitan Transportation Authority

Merits:  
Argued by Carolyn Oill for appellant and Charlotte Costan for respondent.  
Cause submitted.

B179854      Bobby J. Overton  
                 v.  
                 Walt Disney Company

Merits:  
Argued by Stanley D. Saltzman for appellant and Paul Grossman for  
respondent. Cause submitted.

B177552      Maria Styne et al  
                 v.  
                 K Mart Corporation, et al.

Merits:  
Argued by Ian Hertzog for appellant and Robert J. Rossi and  
Peter T. Haven for respondents. Cause submitted.

Court adjourned.

December 14, 2005 (Continued)

### DIVISION THREE (Continued)

B175242      1231 Euclid Homeowners Association      (Not for Publication)  
v.  
State Farm Fire and Casualty Company

The judgment is affirmed. State Farm shall recover its costs on appeal.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION FOUR

B152797      Ramirez      (Not for Publication)  
v.  
San Pedro Rentals, Inc.

The default judgment in favor of plaintiff is reversed, and the case is remanded with directions to reinstate defendants' answer to the complaint. San Pedro is to have its costs on appeal.

Epstein, P.J.

We concur:   Hastings, J.  
                      Willhite, J.

## DIVISION FIVE

B180257      People      (Certified for Publication)  
v.  
Armando Hernandez

The trial court's December 27, 2004 concurrent period of confinement order is reversed. The seven-year commitment related to case No. BA204231 is stayed. If for any reason the order that defendant be committed to 12 years in the state hospital is set aside, the November 15, 2000 seven-year commitment will be reinstated. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Mosk, J.  
Kriegler, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B169262	Williams v. Morgan Stanley Dean Witter, Inc.
B176084	Hensley v. Weisz

Ordered off calendar; appeal dismissed.

B177137      Regna  
v.  
Beightol

Merits:  
Argued by Pauline Maxwell for appellants and by Alan A. Blakeboro for respondents. Cause submitted.

DIVISION SIX (Continued)

B177351     Marriage  
              of  
              Wolf

Merits:

Argued by Hayes F. Michel for appellant and by Joseph Kibre for respondent. Cause submitted.

Gilbert, P.J. assumed the bench.

B178131     Ohashi  
              v.  
              Simi Valley Hospital & Health Care Services

Merits:

Argued by James M. Harris for appellant and by Michael P. Calof for respondent. Cause submitted.

B178515     Brigham  
              v.  
              Herlihy

Merits:

Argued by John Herlihy, appellant, appearing in propria persona and by Brian L. Sederberg for respondent. Cause submitted.

B184053     Hensley  
              v.  
              Freeman

Merits:

Argued by Gary Hensley, appellant, appearing in propria persona and by Taylor Lindsey Emerson for respondent. Cause submitted.

DIVISION SIX (Continued)

B181624     Keil  
              v.  
              Fleishman

Merits:

Argued by Mark Henry Shafron for appellant and by Leslie Keil, respondent, appearing in propria persona. Cause submitted.

B178605     Singh  
              v.  
              Bains

Merits:

Argued by Sandra M. Robertson for appellant Sunner, by Peter J. Celeste for appellants Bains et al., and by Christina Menard for respondents. Cause submitted.

Coffee, J. left the bench.

B177978     California Water Network et al.  
              v.  
              Castaic Lake Water Agency et al.

Merits:

Argued by Stephan C. Volker for appellants; by William N. Hancock for respondent Castaic Lake Water Agency; by Marilyn Levin, Deputy Attorney General, for respondent Dept. of Water Resources; by Steven Michael Torigiani for respondent Semitropic Water Storage Dist.; and by Mark Joseph Dillon for respondent Valencia Water Co.. Cause submitted.

Court recessed at 12:30 P.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.



DIVISION SIX (Continued)

B184797      Citizens for a Safe & Affordable Environment v. San Luis Obispo  
Co. Superior Court (Los Osos Community Services District)

Ordered off calendar; dismissed.

B179955      Spaeth  
v.  
Barlow

Merits:

Argued by John F. Hodges for appellant and by John Henry Hunter for respondent. Cause submitted.

B181389      Herrera  
v.  
Willars

Merits:

Argued by Adrian S. Andrade for appellants and by Evans J. Barbieri for respondents. Cause submitted.

B181535      Nardizzi  
v.  
Harbor Chrysler Plymouth Sales, Inc.

Merits:

Argued by Benjamin L. Hecht for appellant and by Roy G. Weatherup for respondent. Cause submitted.

Yegan, J. assumed the bench.

DIVISION SIX (Continued)

B179222      Keshavarzi  
                 v.  
                 Vintage Communities, Inc.

Merits:  
Argued by Behrouz Shafie for appellants and by Susan Graham Lovelace  
for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B183014      Reniger  
                 v.  
                 Hennion

Merits:  
Argued by Wendy C. Lascher for appellant and by Kathryn Alrarian for  
respondent. Cause submitted.

B179268      Bethel  
                 v.  
                 Brazil

Merits:  
Argued by John F. Hodges for appellant and by Howard Mark Becker for  
respondent. Cause submitted.

B182208      Guajardo  
                 v.  
                 Flores

Merits:  
Argued by Charles Logan McCutchan for appellant and by Kate M.  
Neiswender for respondent. Cause submitted.

DIVISION SIX (Continued)

B178273     Nancy S.  
                 v.  
                 Bernadette M.

Merits:

Argued by Richard L. Francis for appellant and by Michael C. McMahon, Chief Deputy Public Defender, for respondent Sophia S. Argument waived pursuant to Rule 17(a)(2), Calif. Rules of Court by respondent Bernadette M. Cause submitted.

Court adjourned.

B184017     In re Koven                             (Certified for Publication)  
B184018     on  
                 Contempt

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B179354     August Construction, Inc.,  
                 v.  
                 Phyllis Madonna

Filed order denying petition for rehearing.

DIVISION SEVEN

B178664     Citifinancial Mortgage Company et al., (Not for Publication)  
                 v.  
                 Missionary Foundation, Inc., et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur:   Johnson, Acting P.J.  
                 Woods, J.

DIVISION SEVEN (Continued)

[illegible]

The appeal is dismissed.

Zelon, J.

We concur: Perluss, P.J.  
Johnson, J.

## DIVISION EIGHT

B185475      Dorena C.,      (Not for Publication)  
v.  
The Superior Court Of Los Angeles County  
Los Angeles County, D.D.S.

The petition for extraordinary writ is denied. To promote the interests of justice, this decision shall become final as to this court immediately upon its filing. (Ca. Rules of Court, rule 24(b)(3).)

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

B181652      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Ramon S.,  
In re Evelyn S., a Person Coming Under the Juvenile Court Law.

The order is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.

DIVISION EIGHT (Continued)

B177634      Shoshana Ryngler                      (Not for Publication)  
                 v.  
                 David Ryngler

The orders appealed from are affirmed. Respondent is awarded costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
                 Boland, J.

B175275      People    (Not for Publication)  
                 v.  
                 Howard Smith

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.  
                 Flier, J.

B172675      Eric Peacock                                      (Not for Publication)  
                 v.  
                 Los Angeles County Metropolitan Transportation Agency et al.,

The judgment is affirmed. Each party to bear his or its own costs on appeal.

Cooper, P.J.

We concur: Rubin, J.  
                 Boland, J.

December 14, 2005 (Continued)

DIVISION EIGHT (Continued)

B180714      Zwirn  
                 v.  
                 Schweizer

Filed order certifying opinion for publication.